

Message Text

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ORIGIN TRSE-00

INFO OCT-01 EUR-12 ISO-00 AGR-05 CIAE-00 COME-00 EB-07

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FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST

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E.O. 11652:N/A

TAGS:ETRD, RO

SUBJECT:ANTIDUMPING PROCEEDING: WELT WORK SHOES ROMANIA

REF: BUCHAREST 1130

1. THE ANTIDUMPING ACT, AS AMENDED BY THE TRADE ACT OF 1974, AND THE ANTIDUMPING REGULATIONS REQUIRE THAT, IN ANTIDUMPING INVESTIGATIONS INVOLVING STATE-CONTROLLED-ECONOMY COUNTRIES, PRICE COMPARISONS BE MADE ON THE BASIS OF CONSTRUCTED VALUE AS REFLECTED BY PRICES OF SUCH OR SIMILAR MERCHANDISE IN A NON-STATE-CONTROLLED-ECONOMY COUNTRY (IN THIS CASE KOREA).

2. THE PRIMARY ISSUE RAISED BY THE ROMANIANS HAS BEEN THE AMOUNT OF ADJUSTMENT TO BE MADE FOR DIFFERENCES IN THE QUALITY OF THE ROMANIAN SHOE VS. THE KOREAN SHOE. THE LIMITED OFFICIAL USE

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INVESTIGATION DETERMINED THAT THE ROMANIAN SHOE WAS OF

BETTER QUALITY. THEREFORE, TO COMPARE THE PRICES OF "APPLES WITH APPLES" AN ADJUSTMENT UPWARD WAS MADE TO THE PRICE OF THE KOREAN SHOE. THE AMOUNT OF ADJUSTMENT HAS DECREASED SUBSTANTIALLY DUE TO ROMANIAN SUBMISSIONS. IN FACT, ALL FIGURES USED FOR THE ADJUSTMENT WERE BASED ON THE ROMANIAN PRESENTATION.

3. THE WEIGHTED AVERAGE MARGIN OF SALES AT LESS THAN FAIR VALUE IS APPROXIMATELY 27 PERCENT AND RANGES FROM 10 PERCENT TO 50 PERCENT. SHOULD THE INTERNATIONAL TRADE COMMISSION FIND INJURY, DUMPING DUTIES WOULD BE ASSESSED UNLESS THE EXPORT PRICE OF THE ROMANIAN SHOES WAS ADJUSTED UPWARD BY THE RELATIVE APPROPRIATE AMOUNT. ANY DUMPING DUTIES ARE ASSESSED ON AN ENTRY-BY-ENTRY BASIS, USING CURRENT PRICE COMPARISONS RATHER THAN THE COMPARISONS MADE DURING THE INVESTIGATION.

4. THE ITC MUST MAKE ITS INJURY DETERMINATION ON OR BEFORE JUNE 17, 1975. INGERSOLL

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